

Commissioners

MARISEL A. HERNANDEZ, *Chair*
WILLIAM J. KRESSE, *Commissioner/Secretary*
JONATHAN T. SWAIN, *Commissioner*
LANCE GOUGH, *Executive Director*



Board of Election Commissioners for the City of Chicago
Minutes of Regular Board Meeting
April 9, 2019, 9:30 a.m.

69 West Washington Street, 8th Floor Conference Room, Chicago, Illinois 60602

Board Members:

Marisel A. Hernandez, Chairwoman
William J. Kresse, Commissioner/Secretary
Jonathan T. Swain, Commissioner

Staff:

Lance Gough, Executive Director
Charles Holiday [absent]
Adam W. Lasker, General Counsel
James P. Allen, Communications Director
Peter Peso, Deputy Chief Administrative Officer
Bill Perez, Hispanic Outreach Coordinator
Sarita Villarreal, Consultant
Gary Ryczyn, Consultant
Trupti Patel
Rachel Brown, Videographer
Trish Sheehy

Guests:

Helene Gabelnick, League of Women Voters of Chicago (LWV Chicago)
Sandy Hed, Election Works
Adam L. Scheffler
Mark Brown, Sun-Times
Carol Maher, self
MaryLou Jelachich, self

- I. Call to Order: The Chair called the meeting to order at 9:31 a.m.
- II. Roll Call: All members were present.
- III. Consideration of Agenda: Agenda was accepted as presented.
- IV. Approval of Minutes:
 - A. Minutes of the Regular Board Meeting of February 26, 2019: Commissioner Swain moved to approve the Minutes of the Regular Board Meeting of February 26, 2019. Commissioner Kresse seconded the motion. The motion passed and the Minutes were approved by unanimous vote of the Board.
- V. Executive Director's Report
Executive Director Lance Gough reported as follows:

April 2 was another successful election. The turnout, as of the 6th of the month [Note: There is still time to receive and process Vote by Mail ballots per statutory deadlines] was 32.94%. Some were predicting the turnout would be lower.

All of the processes worked very well. We had 98% of the precincts reporting by 11:27 p.m. election night and we were at 100% by 5:00 o'clock on April 3rd.

We have completed the Obvious Discrepancies processing.

Yesterday the precinct by precinct canvass was completed.

We are still processing returned Vote by Mail ballots. As of yesterday we had 49,897 ballots returned, a 84% return rate (we had 82% return in February).

Assistant Executive Director Charles Holiday is presently at the warehouse with the 5% test. He did an excellent job this election.

Polling Place payments, along with Election Coordinators and Judges of Election payrolls should be done, or will be shortly.

Provisional Ballots documentation is being reviewed.

We are working on finishing the updating of voter history for both recent elections.

We have 1800 Election Supply Carriers (ESCs) back in to the warehouse already. The cartage companies did a really good job.

There were so many people that did an excellent job, that Mr. Gough was concerned if he started naming people he might miss someone. As such, he will give a written report to the Board.

The staff did an excellent job especially with the short turnaround between elections to get the ballots printed, get the ballots delivered and get the ballots to the public; it was a monumental task

We are hoping to reduce the number of precincts and polling places by 500 before the next election. We will then do a canvass mailing to notify affected voters of the changes.

To reduce the number of precincts we will look at the number of voters on a block-by-block basis to determine where we can redraw the lines and we will also look at the geography. Mr. Gough has spoken with some elected officials and will meet with more. They are in favor of the reduction because they know how difficult it is to locate polling places and find enough Judges of Election. Along with redrawing precinct lines, we are looking to consolidate polling places. As an example, we currently have a polling place that has 4 precincts in it; if we consolidate the precincts, we will only have 2 precincts to staff at that site with equipment for just 2 precincts rather than 4.

Another reason for reducing the number of polling places is the need to have ADA compliant polling places. While we are working with the Department of Justice to extend our settlement agreement until 2022, we will need to get rid of polling places that are non-compliant as we can no longer use them under the terms of the settlement agreement.

Mr. Lasker pointed out that the cost of polling places and Judges of Elections are expensive. Reducing them will both save the Board money and help with the ADA project.

Mr. Gough also hopes to pay the Judges of Election minimum wage for the next election; something that we are not doing that right now. Reducing the number of precincts will reduce the number of Judges of Election needed.

Mr. Lasker pointed out that the State of Illinois has a smaller population to precinct requirement than other jurisdictions.

Mr. Gough also pointed out that with the increase in Vote by Mail and Early Voting, fewer voters are going to precinct polling places on Election Day.

The Chair thanked Mr. Gough, Communications Director Jim Allen, Charles Holiday, Mr. Lasker and the entire staff on behalf of the Board. It has been nonstop work since the November 2018 election.

The Chair further noted that the people of Chicago have faith in us; we're transparent, and this is one of the best things that we as a Board can give to the City of Chicago. The Chair added that she is very proud to be the Chair of this Board and very proud of those she had mentioned and the entire staff.

Mr. Gough thanked the Board members for their support, without which none of this would have happened. Mr. Gough noted that having served more than 30 years, he has seen many Boards and wanted to commend this particular Board.

A. Assistant Executive Director [Charles Holiday was absent]

B. Communications Director

Communications Director Jim Allen reported as follows:

Projects moving forward:

Mr. Allen is working with the Board's IT department to find a new web hosting vendor, after which we will convert to the ".gov" domain.

We are going to work with the Vote by Mail Department to streamline the user experience for the online application process.

As Mr. Gough had mentioned, we will have other projects, including canvass mailing to every voter, along with some other initiatives such as working with the City to pursue some legislative changes.

Discussion ensued regarding obtaining more voter email addresses. Mr. Allen pointed out that younger voters tend to include email addresses on their registration applications. We are getting many email addresses through on-line Vote by Mail applications. Other methods are being considered Commissioner Kresse suggested that we continue to considering alternative methods and discuss further in the future.

There was also discussion that as a result of Automatic Voter Registration (AVR) we have more voters on the rolls and more votes, but the percentage turnout appears lower because the rolls are larger. As such, turnout percentage will be an issue in the future.

VI. Old Business

A. Infrastructure Projects and Changes in Election Administration: Mr. Gough will be addressing this and new voting equipment shortly.

B. Electronic Poll Books: The e-poll books worked well this election.

C. Voting Equipment: We are currently working on that.

D. Legislation: General Counsel Lasker reported:

- Of the bills in Springfield that we have been tracking the only one that has had any movement is the one related to the Open Meetings Act (OMA). This bill would allow executive sessions to discuss employment matters relative to independent contractors (currently can only discuss

relative to employees). This has passed the Senate and the House but has been sent back to the House for consideration with amendments.

- Other bills, including the bill regarding voting by pre-trial detainees are still in committee. (The pre-trial detainee bill is up for its 3rd reading in the House.)

VII. New Business

A. Removal of Judge of Election - Precinct 45 Ward 8, Republican Judge Celeste Mosley:

Board Law Clerk Trupti Patel presented to the Board a request for an Order of Removal of Judge of Election Celeste Mosley for cause. Ms. Mosley was assigned to Precinct 45 of Ward 8 as a Republican Judge of Election. Reports were received by Election Central on election day of Ms. Mosley's misconduct toward fellow Judges and derelictions of her duties as a Judge of Election. A Board Investigator was dispatched, and the Investigator submitted a report. It was reported to the Board that the situation with Ms. Mosely escalated to the point where Ms. Mosely threatened to bring a knife to the polling place, additionally she reportedly took a swing at another Judge of Election causing a laceration. The Chicago Police Department was called in on this matter. Mr. Lasker further explained that the Board's Investigator remained on site at the polling place until the CPD (it is standard procedure to have the Chicago Police handle such matters as it allows our Investigators to handle other calls on Election Day.

Commissioner Kresse moved to remove Celeste Mosley as a Judge of Election. Commissioner Swain seconded the motion. The motion was approved by unanimous vote of the Board. The Board signed the Notice and Order of Removal of Judge of Election Celeste Mosley in open session.

VIII. Legal Report

General Counsel Adam Lasker reported as follows:

The Board was served with five different election contests in three different wards. Specifically, there were cross-contests (were both candidates filed) in the 46th Ward and the 33rd Ward, and in the 5th Ward candidate William Calloway filed.

This is nothing extraordinary in the pleadings.

Mr. Lasker noted that the revised Illinois Cities and Villages acts require that aldermanic candidates file pleadings for an election contest within 5 days of the election; the contest pleadings are filed with the Circuit Court. Mr. Lasker also reported that for all other offices within the state, a party who wishes to contest the results of the election has 30 days following the proclamation to file a contest. Moreover, there is a procedure called a "discovery recount," and a party may not file for a discovery recount until after the proclamation.

Additionally, one of the contesting candidates is challenging the constitutionality of this statute as it applies to aldermanic candidates. This has been forwarded to the Attorney General's office as it cites the equal election clause of the state constitution, as well as the U.S. constitution.

IX. Financial Report: none

X. Public Comment

Mary Lou Jelachich spoke on the topic of Election Suggestions, specifically:

- Ms. Jelachich noted that she has served as a Judge of Election in the 39th ward and works a lot with the electronic poll books (epoll books).

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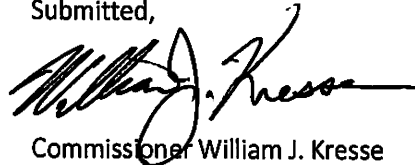
- Ms. Jelachich, noting that voters' signatures change over time, inquired about possible means of updating the signatures of record. Specifically she asked whether more recent signatures from state identification cards/drivers licenses could be used to update voter signatures. Mr. Lasker pointed out that the law requires the Board to use the voter registration signature. Additionally both Mr. Allen and Mr. Lasker pointed out that the Illinois Secretary of State's office does not have access to the digitized signatures.

The Chair thanked Ms. Jelachich for her participation and her comments.

XI. Executive Session: none

XII. Adjournment: Commissioner Kresse moved to adjourn until the next Regular Board Meeting of April 23rd at 8:00 a.m. Commissioner Swain seconded the motion. The Board voted 3:0 to adjourn. The meeting was adjourned at 10:02 a.m.

Submitted,

A handwritten signature in black ink, appearing to read "William J. Kresse". The signature is stylized with a large, sweeping initial "W" and a long, horizontal flourish extending to the right.

Commissioner William J. Kresse
Secretary